



DEPARTMENT OF HEALTH & HUMAN SERVICES  
Food and Drug Administration  
New England District

*Junges*  
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*M3093m*

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Stoneham, Massachusetts 02180  
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October 22, 1999

**WARNING LETTER**

**NWE-03-00W**

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Sidney Pollack, M.D.  
Boston Medical Center  
818 Harrison Ave.  
Boston, MA 02118

RE: Inspection ID - 1581540006

Dear Dr. Pollack, M.D.,

We are writing to you because on September 8, 1999, your facility was inspected by a representative of the Commonwealth of Massachusetts, acting in behalf of the Food and Drug Administration (FDA). This inspection revealed serious regulatory problems involving the mammography at your facility.

Under a United States Federal law, the Mammography Quality Standards Act of 1992, your facility must meet specific requirements for mammography. These requirements help protect the health of women by assuring that a facility can perform quality mammography. The inspection revealed the following level 1, and level 2 findings at your facility:

Level 1: The interpreting physician did not meet the requirement of being licensed by a State to practice medicine: [REDACTED]

Level 2: The medical physicist's survey for x-ray unit 1, [REDACTED] room is incomplete because the following tests were not done:

- Average glandular dose:
- . Exp. & HVL measurements at same clinical kVp

The specific problems noted above appeared on your MQSA Facility Inspection Report, which was issued to your facility at the close of the inspection.

Because these conditions may be symptomatic of serious underlying problems that could compromise the quality of mammography at your facility, they represent a serious violation of the law which may result in FDA taking regulatory action without further notice to you. These actions include, but are not limited to, placing your facility under a Directed Plan of Correction, charging your facility for the cost of on-site monitoring, assessing civil money penalties up to \$10,000 for each failure to substantially comply with, or each day of failure to substantially comply with, the Standards, suspension or revocation of your facility's FDA certificate, or obtaining a court injunction against further mammography.

It is necessary for you to act on this matter immediately. Please explain to this office in writing within fifteen (15) working days from the date you received this letter:

- the specific steps you have taken to correct all of the violations noted in this letter;
- each step your facility is taking to prevent the recurrence of similar violations;
- equipment settings (including technique factors), raw test data, and calculated final results, where appropriate; and
- sample records that demonstrate proper record keeping procedures, if the findings relate to quality control or other records (Note: Patient names or identification should be deleted from any copies submitted).

Please submit your response to:

Michael J. Leal  
MQSA Auditor  
U.S. Food & Drug Administration  
120 Front St., Suite 680  
Worcester, MA 01608  
Phone: (508) 793-0422  
Fax: (508) 793-0456

Finally, you should understand that there are many FDA requirements pertaining to mammography. This letter pertains only to findings of your inspection and does not necessarily address other obligations you have under the law. You may obtain general information about all of FDA's requirements for mammography facilities by contacting the Mammography Quality Assurance Program, Food and Drug Administration, P.O. Box 6057, Columbia, MD 21045-6057 (1-800-838-7715) or through the Internet at <http://www.fda.gov>.

Boston Medical Center  
Boston, MA  
Page 3

If you have more specific questions about mammography facility requirements, or about the content of this letter, please feel free to contact Mr. Leal at (508) 793-0422.

Sincerely yours,

A handwritten signature in black ink, appearing to read "John R. Marzilli".

John R. Marzilli  
District Director  
New England District

Pamela A. Wilcox-Buchalla, R.N., M.B.A.  
Director, Accreditation Programs  
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